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Dated: April 14, 2005

Signature:

Docket No.: SCHERING 3.0-121 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Saksena et al.

Allowed: March 7, 2005

Application No.: 09/909,012

Confirmation No.: 8726

Filed: July 19, 2001

Art Unit: 1653

For: NOVEL PEPTIDES AS NS3-SERINE

Examiner: R. B. Mondesi

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Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to a telephone discussion on April 14, 2005 with Mrs. Hicks of the Petitions Branch, we are enclosing a <u>substitute copy</u> of the Petition to Withdraw Application from Issue which was faxed to the Office of Petitions on April 11, 2005. Also enclosed are <u>substitute copies</u> of the Request for Continued Examination, Amendment and Information Disclosure Statement which were faxed to the Office of Petitions on April 12, 2005.

These substitute papers are being submitted because we have been advised by the Office of Petitions that the facsimile transmissions received by the Office were faint and may not be properly captured by the Image File Wrapper process.

Dated: April 14, 2005

Respectfully submitted

Harvey\L. Cohen

Registration No.: 28,365

LERNER, DAVID, LITTENBERG, KRUMHOLZ

& MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

FAX TRANSMISSION April 11, 2005 DATE: 09/909,012-Conf. #8726 **Application Number** PTO IDENTIFIER: **Patent Number** Anil Saksena et al. Inventor: Office of Petitions **MESSAGE TO:** (571) 273-0025 **FAX NUMBER:** LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP FROM: Harvey L. Cohen (908) 518-6425 PHONE: SCHERING 3.0-121 Attorney Dkt. #: PAGES (Including Cover Sheet): Petition to Withdraw Application From Issue (1 page) CONTENTS: Charge \$130.00 to deposit account 12-1095 Certificate of Transmission (1 page) If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (908) 518-6425 and send the original transmission to us by return mail at the address below. This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West, Westfield, New Jersey 07090 Telephone: (908) 654-5000 Facsimile: (908) 654-7866 Approved for use through 07/31/2006. OMB 0651-0031

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Application No. (if known): 09/909,012

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DATE: April 12, 2005

PTO IDENTIFIER: Application Number 09/90

09/909,012-Conf. #8726

Patent Number

Inventor: Anil Saksena et al.

MESSAGE TO: Office of Petitions

FAX NUMBER: (571) 273-0025

FROM: LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP

Harvey L. Cohen

PHONE: (908) 518-6425

Attorney Dkt. #: SCHERING 3.0-121

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